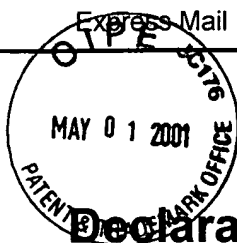


Docket No.

9469.4



Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SPREAD SPECTRUM FREQUENCY HOPPING COMMUNICATIONS SYSTEM

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on January 13, 2001 as United States Application No. or PCT International

Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/236,844.</u>	<u>September 29, 2000</u>
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

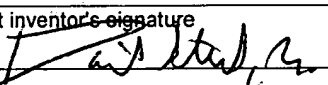
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Dale E. Hulse, Registration No. 29,654
 Berne S. Broadbent, Registration No. 30,550
 David A. Westerby, Registration No. 30,900
 Todd E. Zenger, Registration No. 33,610
 Keith Hargrove, Registration No. 34,836
 Michael F. Krieger, Registration No. 35,232
 Stephen H. Bean, Registration No. 41,607
 Michael M. Conger, Registration No. 43,562
 Christopher L. Johnson, Registration No. P-46,809
 Julie H. Gheem, Registration No. P-47,592

Send Correspondence to: Michael F. Krieger, Esq.
 KIRTON & McCONKIE
 1800 Eagle Gate Tower
 60 East South Temple Salt Lake City, Utah 84111

Direct Telephone Calls to: *(name and telephone number)*
 Michael F. Krieger, Esq. - (801) 321-4814

Full name of sole or first inventor David Steed	
Sole or first inventor's signature 	Date March 6, 2001
Residence 40 South 400 East #4, American Fork, Utah 84003	
Citizenship USA	
Post Office Address	

Full name of second inventor, if any Hugh Nielsen	
Second inventor's signature 	Date March 6, 2001
Residence 452 East 3050 North, Provo, Utah 84604	
Citizenship USA	
Post Office Address	



Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.

9469.4

Assignment of the following rights, title and interest: (check all that apply):

- ☒ *United States of America rights, title and interest in the invention*
☒ *Foreign rights, title and interest in the invention*
☒ *United States Patent Application Serial No.* _____

Date of Execution: _____

Date of Filing: January 13, 2001

- ☒ *United States Provisional Patent Application Serial No.* 60/236,844
☐ *United States Patent No(s).* _____
☐ *International (PCT) Patent Application Serial No.* _____
☐ *Other (specify)* _____

Title of the Invention

SPREAD SPECTRUM FREQUENCY HOPPING COMMUNICATIONS SYSTEM

Inventors (assignors)

<i>Name</i>	<i>Address</i>
David Steed	40 South 400 East #4, American Fork, Utah 84003
Hugh Nielsen	452 East 3050 North, Provo, Utah 84604

Assignee

<i>Name</i>	<i>Address</i>
MaxStream, Incorporated	P.O. Box 1508 1206 South 1680 West Orem, Utah 84058

**Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)**

Docket No.
9469.4

Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;


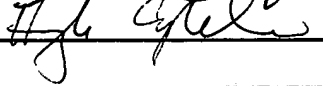
Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)

Name	Signature/Date
David Steed	 3/6/2001
Hugh Nielsen	 3/6/2001

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)


Docket No.
9469.4

Notarization

(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

Executed this _____ day of March, in the year 2001

at


(Signature of Inventor)

State of Utah

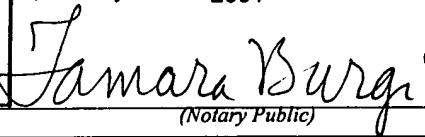
County of Utah

Before me personally appeared David Steed

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this _____ day of _____, in the year 2001

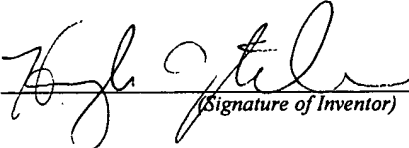


JAMARA BURG
NOTARY PUBLIC - STATE OF UTAH
345 EAST 800 SOUTH
OREM, UTAH 84097
COMM. EXP 4-5-2003


(Notary Public)

Executed this _____ day of March, in the year 2001

at


(Signature of Inventor)

State of Utah

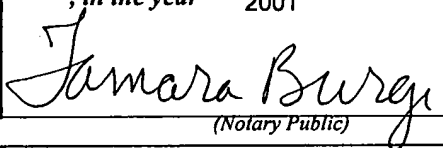
County of Utah

Before me personally appeared Hugh Nielsen

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this _____ day of _____, in the year 2001



JAMARA BURG
NOTARY PUBLIC - STATE OF UTAH
345 EAST 800 SOUTH
OREM, UTAH 84097
COMM. EXP 4-5-2003


(Notary Public)

Executed this 14 day of March, in the year 2001

at

(Signature of Inventor)

State of Utah

County of Utah

Before me personally appeared

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this _____ day of _____, in the year _____

(Notary Public)